



<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/828,526	
	Filing Date	April 8, 2004	
	First Named Inventor	Harvey A. Schwertner	
	Art Unit	1743	
	Examiner Name	Maureen Wallenhorst	
Total Number of Pages in this Submission	4	Attorney Docket Number	AFD 490A

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to a Group (Appeal Notice, Brief, Reply Brief)
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	FREDRIC L. SINDER
Signature	
Date	Dec. 17, 2004

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or <u>deposited with the United States Postal Service</u> with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	FREDRIC L. SINDER	Date December 17, 2004



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/828,526  
Applicant(s) : Harvey A. Schwertner  
Filed : April 8, 2004  
Title : BILIRUBIN TESTS AS RISK PREDICTORS FOR SYSTEMIC  
LUPUS ERYTHEMATOSUS AND PSORIATIC ARTHRITIS

TC/A.U. : 1743  
Examiner : Maureen Wallenhorst  
Docket No. : AFD 490A

Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**SUPPLEMENTAL RESPONSE AND ATTACHED  
NEW DECLARATION FOR PATENT APPLICATION**

Sir:

In supplemental response to the Office action of August 25, 2004, please accept the attached new Declaration for Patent Application for the above-identified application.

**REMARKS**

As noted in applicant's original amendment mailed November 24, 2004, the Examiner's 35 U.S.C. 120 rejection was removed by an amendment of paragraph [0001] of the specification. The specification was amended in accordance with the Examiner's suggestion to claim priority from U.S. application 10/016,826. As noted then, applicant now recognizes that 35 U.S.C. 120 more precisely requires a reference to an earlier filed application, and not merely to an issued patent based on that earlier filed application.

Applicant had completed a new declaration intended to specifically claim the benefit of the filing date of the 10/016,826 application, but which new declaration mistakenly recited the wrong application number [10/016,836 instead of 10/016,826]. A copy of that declaration was

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Supplemental Amdt. dated December 17, 2004  
Reply to Office action of August 25, 2004

attached to the amendment and a new declaration claiming the benefit of the correctly numbered application prepared would be mailed later as a supplement to that amendment.

In view of the foregoing remarks, it is respectfully submitted that claims 1-4, as amended, have now been shown to distinguish over the art of record. Applicant respectfully requests, therefore, that the Examiner allow the application as amended.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R L Sinder', written over a horizontal line.

Fredric L. Sinder. Reg. No. 28475  
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